



City of Marietta
Meeting Minutes
Judicial/Legislative Committee of the Whole

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Philip M. Goldstein, Chairman
William B. Dunaway, Mayor
Jim King
Van Pearlberg
Annette Lewis
Grif Chalfant
Holly Walquist
Anthony Coleman

Thursday, May 3, 2007

5:15 PM

4th Floor Conference Room

Presiding: Philip M. Goldstein
Present: Holly Walquist, Grif Chalfant, Annette Lewis
Van Pearlberg, Rev. Anthony Coleman and Jim King
Non-Voting: William B. Dunaway

Also Present:
William F. Bruton, City Manager
Gregg Litchfield, Assistant City Attorney
Stephanie Guy, City Clerk

CALL TO ORDER:

Chairman Goldstein called the meeting to order at 5:19 p.m.

MINUTES:

20070421 Regular Meeting - April 9, 2007

Review and approval of the April 9, 2007 regular meeting minutes.

A motion was made by Council member King, seconded by Council member Coleman, that this matter be Approved. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

BUSINESS:

20070089 Historic Preservation Ordinance local government status

Report on response from the Georgia Historic Preservation Division regarding the Historic Preservation Ordinance Certified Local Government status.

Assistant City Attorney Gregg Litchfield reported that the letter requesting official opinion from the Attorney General of Georgia would go out on Monday, May 7, 2007. The request is regarding whether or not the "opt out" provision in the Marietta ordinance constitutes an unconstitutional delegation of authority.

This matter was Reported.

20070457 Historic Preservation Commission Board

Discussion on changing the composition of the Historic Preservation Commission (requested by Councilman Van Pearlberg).

Discussion was held regarding the composition of the Historic Preservation Commission. Council member Pearlberg suggested appointing those who would be directly impacted by the ordinance. Another suggestion would be to have a small panel within the designated district to determine whether requested changes meet the guidelines. Further discussion regarding this matter would be held during the next meeting.

This matter was Discussed.

20070458 Historic Preservation Ordinance

General discussion of Historic Preservation Ordinance.

Discussion was held regarding the Historic Preservation Ordinance and the following changes were suggested:

-on page 7, the Mayor suggested that the first paragraph regarding the opt out option be re-written so that the vote from the public would be non-binding. The city attorney was directed to draft the suggested language to bring back for review.

-on page 10, section F should be amended to delete the words, "if the Council or other governing body found that the Commission abused its discretion in reaching its decision."

Further discussion regarding this matter would be held during the next meeting.

This matter was Discussed.

ADJOURNMENT:

The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____